

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**BRANDON LOVELESS, on behalf of  
himself and others similarly situated,**

**Plaintiff,**

**v.**

**ECOTECH, LLC., and  
MICHAEL AVRUSHENKO**

**Defendants.**

**Case No. 4:19-cv-02698-SNLJ**

**MEMORANDUM AND ORDER**

This matter comes before the Court on the parties’ joint motion for *in camera* review and approval of their settlement agreement. (ECF #13). Before reaching the merits of that motion, this Court notes the parties filed their motion and attached settlement agreement under seal. They did not seek approval before doing so, *see* E.D.Mo. L.R. 13.05(A)(1), and they do nothing to “rebut[] the presumption of openness” of court records. *Hart v. ITC Service Group, Inc.*, 2017 WL 2728439 at \*2 (W.D. Mo. June 23, 2017). There is “no claim that the proposed settlement concerns any highly sensitive matter that would rebut the presumption in favor of openness and justify sealing the record.” *Id.* Rather, “[t]his is an ordinary FLSA settlement [that] should be open to the public.” *Id.*; *see also CAA Sports, LLC. v. Dogra*, 2018 WL 6696622 at \*1-2 (E.D. Mo. Dec. 20, 2018) (noting that parties’ confidentiality provisions do not bind the court and sealing records is ordinarily reserved to issues of victim identity, protection of trade secrets, national security matters, honoring the rules of sovereign nations, and concealing

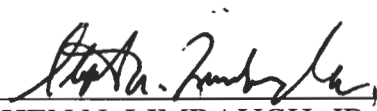
personal identifying information). Therefore, the parties are directed to show cause why their motion, and attached exhibit, should not be unsealed.

Accordingly,

**IT IS HEREBY ORDERED** that the parties' joint motion for *in camera* review and approval of their settlement agreement (ECF #13) is **HELD IN ABEYANCE**.

**IT IS FURTHER ORDERED** that, within **five (5) days** of the date of this Order, the parties shall file a motion showing cause why their joint motion for *in camera* review, and attached exhibit, should not be unsealed.

So ordered this 24th day of February 2020.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE